

Application No. 10/040,908
RESPONSE TO DETAILED ACTION
OF SEPTEMBER 24, 2003

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REMARKS

Summary of the Official Action

The examiner has considered the detailed Reply of July 21, 2003, to be "not fully responsive to the prior Office Action." The examiner appears to be asking for a clarification as to the species corresponding to the claims elected by Applicants in the July Reply.

RESTRICTION

The current application is considered to contain claims directed to several distinct species, with election required between the species as set forth below:

Restriction 1

Elect one of either:

- Species A: Direct attachment of power supply to lineset; OR
- Species B: Indirect attachment of power supply to lineset.

Restriction 2a, if Species A, then . . .

Elect one of either:

- Species C: Fuel Cell;
- Species D.: AC power means; or
- Species E: Battery.

AND, one of either:

- | | |
|---|---------------------------------|
| -Species K: Valve; | -Species R: Applicant specified |
| -Species L: Flow sensor; | combination of Species |
| -Species M: Pump; | K, L, M, N, O, P, and |
| -Species N: Pressure Sensor; | Q. |
| -Species O: Feedback control input; | |
| -Species P: Biological status sensor; | |
| -Species Q: Applicant specified closed- | |
| loop type sensor; or | |

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Restriction 2b, if Species B, then . . .

Elect one of either:

- Species I: Low temperature fuel cell; or
- Species J: Reaction type fuel cell.
- Goto “Restriction 4” —

Restriction 3, if Species C, then . . .

Elect one of either:

- Species I: Low temperature fuel cell; or
- Species J: Reaction type fuel cell.

Restriction 4, if Species J, then . . .

Elect one of either:

- Species F: Frangible membrane;
- Species G: Tear seal; or
- Species H: Both a frangible membrane and a tear seal.

ELECTION OF SPECIES

Applicants provisionally elect, for prosecution on the merits, Species **A**, **C**, **M**, and **I**, which correspond to Claims 1, 4, 6-14, 16-18, 24, 26, 27, 37, 39-42, 45-47, 50 and 58.

Non-Elected Claims:

Applicants request that the remaining non-elected claims, Claims 2, 3, 5, 15, 19-23, 25, 28-36, 38, 43, 44, 48, 49 and 51-57 be withdrawn from consideration without prejudice.

Applicants understand that should any generic claims be finally held allowable, then the species of the withdrawn claims will be considered allowable as well.

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If it would expedite the progress of this Application through the examination process, the Examiner is authorized to call the undersigned attorney.

Respectfully submitted,

Dated: October 17, 2003

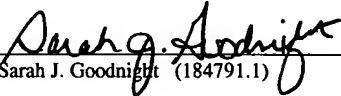
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Date of Deposit: October 17, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.


Sarah J. Goodnight (184791.1)